

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Chaudry Confirmation No.: 9356
Appl. No.: 10/657,550 Group Art Unit: 1616
Filed: 09/04/2003 Examiner: James Henry Alstraum Acevedo
For: FORMULATIONS AND METHODS FOR TREATING RHINOSINUSITIS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

I, John E. Johnson, III, am an attorney of record of the disclaimant, Dey L.P., and am authorized to execute this disclaimer on behalf of Dey L.P. The disclaimant, Dey L.P., having a principal place of business at 2751 Napa Valley Drive, Napa, California 94558, is the owner of all right, title, and interest in the above-identified application, by Assignment filed June 28, 2006, and recorded at Reel 017855, Frame 0227.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of the United States Serial No. 11/931,484, filed October 31, 2007, entitled *Formulations and Methods for Treating Rhinosinusitis*, which application was assigned to the above-identified Disclaimant by Assignment filed June 28, 2006 and recorded at Reel 017855, Frame 0227.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Serial Nos. 11/931,484, this agreement to run with any patent granted on the above identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Serial Nos. 11/078,263, 11/250,220, and 11/250,925 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,



John E. Johnson, III
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Date: June 29, 2010

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